

MTSA Regulations found at 33 CFR Subchapter H
Part 103 Area Maritime Security

"The information in this document is for use as an aid to interpretation. Should anything in this document be in conflict with 33 CFR Subchapter H or CG policy, then Subchapter H and the CG policy determinations control."

Q. Who establishes an Area Maritime Security Committee (AMSC) and what are its functions?

Ans. An Area Maritime Security Committee is established under the direction of the CG Captain of the Port (COTP), acting as the Federal Maritime Security Coordinator (FMSC), shall assist in the development, review, and update of an AMS plan for their area of responsibility. See 33 CFR 103.300 (a).

Q. What happens to a Port Security Committee (PSC) that was established prior to July 1, 2003?

Ans. According to Coast Guard guidance, a PSC in existence prior to July 1, 2003, may be considered an Area Maritime Security Committee, provided the PSC conforms to established procedures and if the prescribed membership requirements for an AMSC are satisfied. See 33 CFR 103.300 (a) and 33 CFR 103.305.

Q. What is the structure of an Area Maritime Security Committee (AMSC)? How does one become a member? What are the membership qualifications?

Ans. An AMSC is established under the direction of the CG Captain of the Port (COTP) and is composed of not less than seven members having an interest in the security of the area. Among other criteria, at least seven of the members must each have 5 or more years of experience related to maritime or port security operations. The Committee will operate under terms specified in a written AMSC charter. Members appointed to an AMSC serve for a term of not more than 5 years. In appointing members, the COTP should consider the skills required by 33 CFR 103.410 and prior to appointment, may require an appropriate security background examination of the candidate member. See 33 CFR 103.305.

Q. How is the Area Maritime Security Plan Developed?

Ans. The Area Maritime Security Plan is developed by the COTP in consultation with the AMS Committee and is based on an AMS Assessment (see 33 CFR 103.400) and the AMS Plan must be consistent with the National Maritime Transportation Security Plan. Since portions of the AMS Plan may contain sensitive security information, those portions must be marked as such and protected in accordance with 49 CFR 1520. See 33 CFR 103.500.

Q. What is the process for obtaining approval of the Area Maritime Security Plan?

Ans. Each AMS Plan will be submitted to the cognizant District Commander by April 1, 2004 for review then forwarded to the Area Commander for approval by May 1, 2004. In addition, the Area Commander will forward the approved Plan to CGHQ by June 1, 2004 to facilitate the required notification to the International Maritime Organization before July 1, 2004. See 33 CFR 103.510 and NVIC 9-02 Change-1.

Q. How is effectiveness of the Area Maritime Security Plan validated?

Ans. The CG COTP/FMSC will coordinate an exercise with the AMS Committee at least once each calendar year, with no more than eighteen months between exercises, to test the effectiveness of the AMS Plan. See 33 CFR 103.515.

Q. Will members of an Area Maritime Security Committee (AMSC) be required to undergo a Background Investigation (BI) as a prerequisite to having access to Sensitive Security Information disseminated by the Federal Maritime Security Coordinator (FMSC)?

Ans. No, however under certain circumstances the FMSC, may designate individual AMSC members individually or as members of a subcommittee to conduct work that requires access to “classified” materials above the SSI designated level of information.

If an AMSC member is designated to have access to “classified” information above the SSI designated level, that member would be required to undergo a BI appropriate for the level of classified information access required. Though the BI checks are voluntary, the procedure requires completion of a personal information disclosure waiver before the BI is requested. See Navigation Vessel Inspection Circular 9-02 (rev 1).